

ADRMOP, APPEAL, CLOSED, E-Filing, ProSe

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:07-cv-06213-PJH  
Internal Use Only**

Lopes v. Fremont Freewheelers et al  
Assigned to: Hon. Phyllis J. Hamilton  
Case in other court: Alameda Superior Court, HG07324585  
Cause: 42:1981 Civil Rights

Date Filed: 12/07/2007  
Date Terminated: 08/07/2008  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Cornelius Lopes**

represented by **Cornelius Lopes**  
6251 Quartz Place  
Newark, CA 94560  
510-790-3818  
PRO SE

V.

**Defendant**

**Fremont Freewheelers**  
*TERMINATED: 08/07/2008*

represented by **Mark Philip Meuser**  
P.O. Box 5412  
Walnut Creek , CA 94596  
415-577-2850  
Fax: 925-262-2318  
Email: mpm@markmeuser.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**K&K Insurance**  
*TERMINATED: 08/07/2008*

**Defendant****USA Cycling, Inc.**

represented by **David Ian Dalby**  
Hinshaw & Culbertson LLP  
One California Street  
18th Floor  
San Francisco , CA 94111  
415-362-6000  
Fax: 415-834-9070  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Casey Ann Hatton**  
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Fax: 415-834-9070  
Email: chatton@hinshawlaw.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Robert Parker**  
*TERMINATED: 08/07/2008*

**Defendant**

**Lawrence Upthegrove**  
*TERMINATED: 08/07/2008*

**Defendant**

**Lloyd Rath**  
*TERMINATED: 08/07/2008*

**Defendant**

**Richard Brockie**

represented by **Mark Philip Meuser**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Gary Birch**

represented by **Mark Philip Meuser**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Sally Wilson**

represented by **Mark Philip Meuser**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jason Sage**

represented by **Mark Philip Meuser**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Tim O'Hara**

represented by **Mark Philip Meuser**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jeff Wrong**

*TERMINATED: 08/07/2008*

**Defendant**

**CB Richard Ellis**

represented by **Norman Charles La Force**  
Fortune O'Sullivan & Hudson  
560 Mission Street  
21st Floor  
San Francisco , CA 94105  
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Fax: 415-227-2360  
*TERMINATED: 03/13/2008*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Bryan Sheppard**

*TERMINATED: 08/07/2008*

**Defendant**

**Larry Nolan**

represented by **Mark Philip Meuser**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Steve Grusis**

*TERMINATED: 08/07/2008*

**Defendant**

**Larry Rosa**

*TERMINATED: 08/07/2008*

**Defendant**

**Linda Buffetti**

represented by **Casey Ann Hatton**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David Ian Dalby**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Joe Baughman**

*TERMINATED: 08/07/2008*

**Defendant**

**Peter Allen**

*TERMINATED: 08/07/2008*

**Defendant**

**FFBC Race Team**

*TERMINATED: 08/07/2008*

**Defendant**

**Newark Police Department**

represented by **Furah Zamir Faruqi**  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**Casey Carrington**

*TERMINATED: 08/07/2008*

**Defendant**

**Jim Davis**

represented by **Furah Zamir Faruqi**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Gary M. Lepper**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Shara Mesic**

*Alameda County Deputy D.A.*

represented by **Maureen M. Duffy**  
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1999 Harrison Street  
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Oakland , CA 94612-3438  
510-987-7500  
Fax: 510-987-7575  
Email: efiling@pwc-law.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lisa Faria**  
*Deputy D.A.*

represented by **Maureen M. Duffy**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven Craig Wolan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrea S. Carlise**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Petagrew**  
*Deputy D.A.*

represented by **Maureen M. Duffy**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Steven Craig Wolan**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrea S. Carlise**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Officer Joseph Dale Wren**

represented by **Furah Zamir Faruqi**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Gary M. Lepper**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Northern California and Nevada Cycling**

**Assoc. (NCNCA)**

*TERMINATED: 08/07/2008*

**Defendant**

**Alameda County District Attorney**

*TERMINATED: 08/07/2008*

Date Filed	#	Docket Text
12/07/2007	<a href="#">1</a>	NOTICE OF REMOVAL from Alameda Superior Court. Their case number is HG07354585. (Filing fee \$350 receipt number 34611013298). Filed by CB Richard Ellis, Inc. (sv, COURT STAFF) (Filed on 12/7/2007) Modified on 1/25/2008 (far, COURT STAFF). (far, COURT STAFF). (Entered: 12/14/2007)
12/07/2007	<a href="#">2</a>	CERTIFICATE OF SERVICE by CB Richard Ellis, Inc. re <a href="#">1</a> Notice of Removal (sv, COURT STAFF) (Filed on 12/7/2007) Modified on 1/25/2008 (far, COURT STAFF). (far, COURT STAFF). (Entered: 12/14/2007)
12/07/2007	<a href="#">3</a>	ADR SCHEDULING ORDER: Case Management Statement due by 3/12/2008. Case Management Conference set for 3/19/2008 10:30 AM. (Attachments: # <a href="#">1</a> Standing Order for Judge Larson, # <a href="#">2</a> Standing Order for all Judges)(sv, COURT STAFF) (Filed on 12/7/2007) (Entered: 12/14/2007)
12/07/2007		CASE DESIGNATED for Electronic Filing. (sv, COURT STAFF) (Filed on 12/7/2007) (Entered: 12/14/2007)
12/13/2007	<a href="#">4</a>	MOTION to Dismiss filed by CB Richard Ellis, Inc. Motion Hearing set for 1/30/2008

		09:30 AM in Courtroom F, 15th Floor, San Francisco. (ga, COURT STAFF) (Filed on 12/13/2007) Modified on 1/25/2008 (far, COURT STAFF). (far, COURT STAFF). (Entered: 12/19/2007)
12/13/2007	<a href="#">5</a>	MEMORANDUM of POINTS and AUTHORITIES in Support re <a href="#">4</a> MOTION to Dismiss filed by CB Richard Ellis, Inc. (ga, COURT STAFF) (Filed on 12/13/2007) Modified on 1/25/2008 (far, COURT STAFF). (far, COURT STAFF). (Entered: 12/19/2007)
12/13/2007	<a href="#">6</a>	Request for Judicial Notice re <a href="#">4</a> MOTION to Dismiss filed by CB Richard Ellis, Inc. (ga, COURT STAFF) (Filed on 12/13/2007) Modified on 1/25/2008 (far, COURT STAFF). (far, COURT STAFF). (Entered: 12/19/2007)
12/13/2007	<a href="#">7</a>	CERTIFICATE OF SERVICE by CB Richard Ellis, Inc. re <a href="#">5</a> Memorandum in Support, <a href="#">4</a> MOTION to Dismiss, <a href="#">6</a> Request for Judicial Notice (ga, COURT STAFF) (Filed on 12/13/2007) Modified on 1/25/2008 (far, COURT STAFF). (far, COURT STAFF). (Entered: 12/19/2007)
12/19/2007	<a href="#">8</a>	CONSENT to Proceed Before a US Magistrate Judge by CB Richard Ellis, Inc. (LaForce, Norman) (Filed on 12/19/2007) Modified on 1/25/2008 (far, COURT STAFF). (Entered: 12/19/2007)
01/09/2008	<a href="#">9</a>	Opposition to Norman LaForce attorney for CB Ellison by Cornelius Lopes. (ga, COURT STAFF) (Filed on 1/9/2008) (ga, COURT STAFF). (Entered: 01/10/2008)
01/09/2008	<a href="#">10</a>	Opposition to Gary Lepper Newark Attorney to by Cornelius Lopes. (ga, COURT STAFF) (Filed on 1/9/2008) (ga, COURT STAFF). (Entered: 01/10/2008)
01/10/2008	<a href="#">11</a>	NOTICE of Appearance by Gary M. Lepper (Lepper, Gary) (Filed on 1/10/2008) (Entered: 01/10/2008)
01/16/2008	<a href="#">12</a>	REPLY in Support of <a href="#">4</a> Motion to Dismiss filed by CB Richard Ellis, Inc. (LaForce, Norman) (Filed on 1/16/2008) Modified on 1/22/2008 (ga, COURT STAFF). Modified on 1/25/2008 (far, COURT STAFF). (Entered: 01/16/2008)
01/22/2008	<a href="#">13</a>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (wh, COURT STAFF) (Filed on 1/22/2008) (Entered: 01/22/2008)
01/22/2008	14	Declination to Proceed Before a U.S. Magistrate Judge by Cornelius Lopes. (ga, COURT STAFF) (Filed on 1/22/2008) (Entered: 01/22/2008)
01/24/2008	<a href="#">15</a>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Phyllis J. Hamilton for all further proceedings. Judge Magistrate Judge James Larson no longer assigned to the case. Signed by Judge Executive Committee on 1/24/08. (mab, COURT STAFF) (Filed on 1/24/2008) (Entered: 01/24/2008)
01/25/2008	<a href="#">16</a>	CLERK'S NOTICE re: Notice of Removal <a href="#">1</a> , Certificate of Service <a href="#">2</a> , Motion to Dismiss <a href="#">4</a> , Memorandum of Points and Authorities <a href="#">5</a> , Request for Judicial Notice <a href="#">6</a> and Certificate of Service <a href="#">7</a> ; Failure to E-File and/or Failure to Register as an E-Filer (far, COURT STAFF) (Filed on 1/25/2008) (Entered: 01/25/2008)
01/31/2008	<a href="#">17</a>	ORDER SETTING CASE MANAGEMENT CONFERENCE. Signed by Judge Phyllis J. Hamilton on 1/31/08. (Attachments: # <a href="#">1</a> Certificate of Service)(nah, COURT STAFF) (Filed on 1/31/2008) (Entered: 01/31/2008)
01/31/2008		Set Deadlines/Hearings: Case Management Conference set for 3/20/2008 02:30 PM. Case



		Management Statement due by 3/13/2008. (nah, COURT STAFF) (Filed on 1/31/2008) (Entered: 01/31/2008)
02/01/2008	<a href="#">18</a>	RE-NOTICE OF <a href="#">4</a> MOTION TO DISMISS filed by CB Richard Ellis, Inc. Motion Hearing set for 4/2/2008 09:00 AM. (LaForce, Norman) (Filed on 2/1/2008) Modified on 2/4/2008 (far, COURT STAFF). (Entered: 02/01/2008)
02/01/2008	<a href="#">19</a>	ORDER. Signed by Judge Hamilton on 2/1/2008. (pjhlc1, COURT STAFF) (Filed on 2/1/2008) (Entered: 02/01/2008)
02/01/2008		(Court only) ***Deadlines terminated. (far, COURT STAFF) (Filed on 2/1/2008) (Entered: 02/04/2008)
02/01/2008		(Court only) ***Motions terminated: <a href="#">18</a> RE-NOTICE OF <a href="#">4</a> MOTION TO DISMISS filed by CB Richard Ellis, Inc. (far, COURT STAFF) (Filed on 2/1/2008) (Entered: 02/04/2008)
03/07/2008	<a href="#">20</a>	STIPULATION <i>To Continue Case Management Conference</i> by Newark Police Department, Jim Davis, Joseph Dale Wren. (Lepper, Gary) (Filed on 3/7/2008) (Entered: 03/07/2008)
03/10/2008	<a href="#">21</a>	ORDER by Judge Hamilton granting <a href="#">4</a> Motion to Dismiss (pjhlc1, COURT STAFF) (Filed on 3/10/2008) (Additional attachment(s) added on 3/11/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 03/10/2008)
03/11/2008	<a href="#">22</a>	STIPULATION AND ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE re <a href="#">20</a> Stipulation filed by Jim Davis, Joseph Dale Wren, Newark Police Department. Initial Case Management Conference set for 4/3/2008 02:30 PM. Signed by Judge Phyllis J. Hamilton on 3/11/08. (Attachments: # <a href="#">1</a> Certificate of Service)(nah, COURT STAFF) (Filed on 3/11/2008) (Entered: 03/11/2008)
03/11/2008		Set Deadlines/Hearings: Case Management Statement due by 3/27/2008. (nah, COURT STAFF) (Filed on 3/11/2008) (Entered: 03/11/2008)
03/12/2008	<a href="#">23</a>	Proposed Order <i>JUDGMENT OF DISMISSAL</i> by CB Richard Ellis, Inc.. (LaForce, Norman) (Filed on 3/12/2008) (Entered: 03/12/2008)
03/13/2008	<a href="#">24</a>	JUDGMENT OF DISMISSAL AS TO DEFENDANT CB RICHARD ELLIS. Signed by Judge Phyllis J. Hamilton on 3/13/08. (nah, COURT STAFF) (Filed on 3/13/2008) (Additional attachment(s) added on 3/13/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 03/13/2008)
03/13/2008		(Court only) *** Party CB Richard Ellis, Inc. terminated. (nah, COURT STAFF) (Filed on 3/13/2008) (Entered: 03/13/2008)
03/27/2008	<a href="#">25</a>	CASE MANAGEMENT STATEMENT filed by Newark Police Department, Jim Davis, Joseph Dale Wren. (Lepper, Gary) (Filed on 3/27/2008) (Entered: 03/27/2008)
03/27/2008	<a href="#">27</a>	REQUEST to Continue Case Management Conference Date filed by Cornelius Lopes. (far, COURT STAFF) (Filed on 3/27/2008) (Entered: 03/31/2008)
03/28/2008	<a href="#">26</a>	ORDER GRANTING <a href="#">27</a> REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE. Signed by Judge Hamilton on 3/28/08. (pjhlc1, COURT STAFF) (Filed on 3/28/2008) (Additional attachment(s) added on 3/31/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). Modified on 4/3/2008 (far, COURT STAFF). (Entered: 03/28/2008)
03/31/2008		(Court only) ***Motions terminated: <a href="#">27</a> MOTION to Continue filed by Cornelius Lopes.



		(far, COURT STAFF) (Filed on 3/31/2008) (Entered: 03/31/2008)
04/15/2008	<a href="#">28</a>	Summons Issued as to Sally Wilson, Jason Sage, Tim O'Hara, Bryan Sheppard, Larry Nolan, Steve Grusis, Lind Buffetti, Joe Baughman, Peter Allen, Casey Carrington, Alameda County Shara Mesic Deputy D.A., Lisa Faria, Petagrew, Fremont Freewheelers, K&K Insurance, USA Cycling Northern California and Nevada Cycling Assoc. (NCNCA), Robert Parker, Lawrence Upthegrove, Lloyd Rath, Richard Brockie, Gary Birch. (far, COURT STAFF) (Filed on 4/15/2008) (Entered: 04/16/2008)
04/16/2008	<a href="#">29</a>	Summons Issued as to Newark Police Department. (far, COURT STAFF) (Filed on 4/16/2008) (Entered: 04/16/2008)
04/30/2008	<a href="#">30</a>	NOTICE of Appearance by Mark Philip Meuser (Meuser, Mark) (Filed on 4/30/2008) (Entered: 04/30/2008)
05/02/2008	<a href="#">31</a>	ORDER TO SHOW CAUSE. Signed by Judge Hamilton on 5/2/2008. (pjhlc1, COURT STAFF) (Filed on 5/2/2008) (Additional attachment(s) added on 5/2/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 05/02/2008)
05/07/2008	<a href="#">32</a>	MOTION to Dismiss filed by Larry Nolan. Motion Hearing set for 6/25/2008 09:00 AM in Courtroom 3, 17th Floor, San Francisco. (Meuser, Mark) (Filed on 5/7/2008) (Entered: 05/07/2008)
05/07/2008	<a href="#">33</a>	MEMORANDUM OF POINTS AND AUTHORITIES in Support of <a href="#">32</a> MOTION to Dismiss filed by Larry Nolan. (Related document(s) <a href="#">32</a> ) (Meuser, Mark) (Filed on 5/7/2008) Modified on 5/7/2008 (far, COURT STAFF). (Entered: 05/07/2008)
05/07/2008	<a href="#">34</a>	Request for Judicial Notice in Support of <a href="#">32</a> MOTION to Dismiss filed by Larry Nolan. (Related document(s) <a href="#">32</a> ) (Meuser, Mark) (Filed on 5/7/2008) Modified on 5/7/2008 (far, COURT STAFF). (Entered: 05/07/2008)
05/07/2008	<a href="#">35</a>	CERTIFICATE OF SERVICE by Larry Nolan re <a href="#">34</a> Request for Judicial Notice, <a href="#">32</a> MOTION to Dismiss, <a href="#">33</a> Memorandum (Meuser, Mark) (Filed on 5/7/2008) Modified on 5/7/2008 (far, COURT STAFF). (Entered: 05/07/2008)
05/12/2008	<a href="#">36</a>	MOTION to Dismiss <i>Pursuant to FRCP 12(b)(5)(6)</i> filed by Linda Buffetti, USA Cycling, Inc. Motion Hearing set for 6/25/2008 09:00 AM in Courtroom 3, 17th Floor, San Francisco. (Attachments: # <a href="#">1</a> Memorandum of Points & Authorities in Support of Motion to Dismiss, # <a href="#">2</a> Declaration of Linda Buffetti in Support of Motion to Dismiss, # <a href="#">3</a> Request for Judicial Notice in Support of Motion to Dismiss, # <a href="#">4</a> Proposed Order)(Dalby, David) (Filed on 5/12/2008) Modified on 5/14/2008 (far, COURT STAFF). (Entered: 05/12/2008)
05/13/2008	<a href="#">37</a>	NOTICE OF MOTION AND MOTION TO DISMISS <a href="#">1</a> COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED [FRCP 12(b)(6) OR, IN THE ALTERNATIVE, MOTION FOR MORE DEFINITE STATEMENT [FRCP 12(e)] filed by Alameda County Shara Mesic Deputy D.A., Lisa Faria, Petagrew. Motion Hearing set for 6/25/2008 09:00 AM in Courtroom 3, 17th Floor, San Francisco. (Carlise, Andrea) (Filed on 5/13/2008) Modified on 5/14/2008 (far, COURT STAFF). (Entered: 05/13/2008)
05/13/2008	<a href="#">38</a>	MEMORANDUM OF POINTS AND AUTHORITIES in Support of <a href="#">37</a> NOTICE OF MOTION AND MOTION TO DISMISS COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED [FRCP 12(b)(6) OR, IN THE ALTERNATIVE, MOTION FOR MORE DEFINITE STATEMENT [FRCP 12(e)] filed by Alameda County Shara Mesic Deputy D.A., Lisa Faria, Petagrew. (Related document(s)

		<a href="#">37</a> ) (Carlise, Andrea) (Filed on 5/13/2008) Modified on 5/14/2008 (far, COURT STAFF). (Entered: 05/13/2008)
05/13/2008	<a href="#">39</a>	Request for Judicial Notice IN SUPPORT OF <a href="#">37</a> MOTION TO DISMISS PURSUANT TO RULE 12(b)(6) filed by Alameda County Shara Mesic Deputy D.A., Lisa Faria, Petagrew. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Carlise, Andrea) (Filed on 5/13/2008) Modified on 5/14/2008 (far, COURT STAFF). (Entered: 05/13/2008)
05/13/2008	<a href="#">40</a>	CERTIFICATE OF SERVICE BY MAIL ON PLAINTIFF CORNELIUS LOPES re <a href="#">37</a> <a href="#">38</a> <a href="#">39</a> <a href="#">41</a> by Alameda County Shara Mesic Deputy D.A., Lisa Faria, Petagrew (Carlise, Andrea) (Filed on 5/13/2008) Modified on 5/14/2008 (far, COURT STAFF). (Entered: 05/13/2008)
05/13/2008	<a href="#">41</a>	Proposed Order re <a href="#">37</a> MOTION TO DISMISS by Alameda County Shara Mesic Deputy D.A., Lisa Faria, Petagrew. (Carlise, Andrea) (Filed on 5/13/2008) Modified on 5/14/2008 (far, COURT STAFF). (Entered: 05/13/2008)
05/13/2008		(Court only) ***Attorney Steven Craig Wolan for Alameda County Shara Mesic Deputy D.A., Lisa Faria and Petagrew, Maureen M. Duffy for Alameda County Shara Mesic Deputy D.A., Lisa Faria and Petagrew added. (far, COURT STAFF) (Filed on 5/13/2008) (Entered: 05/14/2008)
05/16/2008	<a href="#">47</a>	ANSWER to <a href="#">31</a> Order to Show Cause by Cornelius Lopes. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">48</a>	SUMMONS Returned Executed by Cornelius Lopes. Gary Birch served on 4/29/2008, answer due 5/19/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">49</a>	SUMMONS Returned Executed by Cornelius Lopes. Richard Brockie served on 4/29/2008, answer due 5/19/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">50</a>	SUMMONS Returned Executed by Cornelius Lopes. Linda Buffetti served on 4/23/2008, answer due 5/13/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">51</a>	SUMMONS Returned Executed by Cornelius Lopes. Shara Mesic served on 4/25/2008, answer due 5/15/2008; Lisa Faria served on 4/25/2008, answer due 5/15/2008; Petagrew served on 4/25/2008, answer due 5/15/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">52</a>	SUMMONS Returned Executed by Cornelius Lopes. Fremont Freewheelers served on 4/29/2008, answer due 5/19/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">53</a>	SUMMONS Returned Executed by Cornelius Lopes. Tim O'Hara served on 4/29/2008, answer due 5/19/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">54</a>	SUMMONS Returned Executed by Cornelius Lopes. Jason Sage served on 4/29/2008, answer due 5/19/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)
05/16/2008	<a href="#">55</a>	SUMMONS Returned Executed by Cornelius Lopes. USA Cycling, Inc. served on 4/23/2008, answer due 5/13/2008. (far, COURT STAFF) (Filed on 5/16/2008) Modified on 5/21/2008 (far, COURT STAFF). (Entered: 05/21/2008)
05/16/2008	<a href="#">56</a>	SUMMONS Returned Executed by Cornelius Lopes. Sally Wilson served on 4/29/2008, answer due 5/19/2008. (far, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/21/2008)

05/20/2008	<a href="#">42</a>	MOTION to Dismiss filed by Jason Sage, Gary Birch. Motion Hearing set for 6/25/2008 09:00 AM in Courtroom 3, 17th Floor, San Francisco. (Meuser, Mark) (Filed on 5/20/2008) (Entered: 05/20/2008)
05/20/2008	<a href="#">43</a>	MEMORANDUM of POINTS and AUTHORITIES in Support of <a href="#">42</a> MOTION to Dismiss filed by Jason Sage, Gary Birch. (Related document(s) <a href="#">42</a> ) (Meuser, Mark) (Filed on 5/20/2008) Modified on 5/21/2008 (far, COURT STAFF). (Entered: 05/20/2008)
05/20/2008	<a href="#">44</a>	Request for Judicial Notice re <a href="#">42</a> MOTION to Dismiss filed by Jason Sage, Gary Birch. (Related document(s) <a href="#">42</a> ) (Meuser, Mark) (Filed on 5/20/2008) Modified on 5/21/2008 (far, COURT STAFF). (Entered: 05/20/2008)
05/20/2008	<a href="#">45</a>	Proposed Order re <a href="#">42</a> MOTION to Dismiss by Jason Sage, Larry Nolan, Gary Birch. (Meuser, Mark) (Filed on 5/20/2008) Modified on 5/21/2008 (far, COURT STAFF). (Entered: 05/20/2008)
05/20/2008	<a href="#">46</a>	CERTIFICATE OF SERVICE by Jason Sage, Larry Nolan, Gary Birch re <a href="#">44</a> Request for Judicial Notice, <a href="#">43</a> Memorandum, <a href="#">45</a> Proposed Order, <a href="#">42</a> MOTION to Dismiss (Meuser, Mark) (Filed on 5/20/2008) Modified on 5/21/2008 (far, COURT STAFF). (Entered: 05/20/2008)
05/21/2008	<a href="#">57</a>	NOTICE of Appearance by Mark Philip Meuser (Meuser, Mark) (Filed on 5/21/2008) (Entered: 05/21/2008)
05/22/2008	<a href="#">58</a>	JOINT CASE MANAGEMENT STATEMENT <i>FILED ON BEHALF OF DEFENDANTS LISA FARIA, SHARA MESIC BELTRANO, STACY PETTIGREW, FREEMONT FREEWHEELERS, LARRY NOLAN, GARRY BIRCH, JASON SAGE, RICHARD BROCKIE, SALLY WILSON, TIM O'HARA, USA CYCLING, INC., LINDA BUFFETTI, CB RICHARD ELLIS, NEWARK POLICE DEPARTMENT, JIM DAVIDS AND JOSEPH DALE WREN</i> filed by Shara Mesic, Lisa Faria, Petagrew. (Carlise, Andrea) (Filed on 5/22/2008) (Entered: 05/22/2008)
05/23/2008	<a href="#">59</a>	CLERK'S NOTICE VACATING CASE MANAGEMENT CONFERENCE (Attachments: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF) (Filed on 5/23/2008) (Entered: 05/23/2008)
05/23/2008		(Court only) ***Deadlines terminated. (far, COURT STAFF) (Filed on 5/23/2008) (Entered: 05/27/2008)
06/02/2008	<a href="#">60</a>	MOTION to Dismiss filed by Newark Police Department, Jim Davis, Joseph Dale Wren. Motion Hearing set for 7/9/2008 09:00 AM in Courtroom 3, 17th Floor, San Francisco. (Lepper, Gary) (Filed on 6/2/2008) (Entered: 06/02/2008)
06/02/2008	<a href="#">61</a>	Proposed Order re <a href="#">60</a> Motion to Dismiss by Newark Police Department, Jim Davis, Joseph Dale Wren. (Lepper, Gary) (Filed on 6/2/2008) Modified on 6/3/2008 (far, COURT STAFF). (Entered: 06/02/2008)
06/02/2008	<a href="#">62</a>	MOTION to Dismiss filed by Sally Wilson, Tim O'Hara, Fremont Freewheelers, Richard Brockie. Motion Hearing set for 7/9/2008 09:00 AM in Courtroom 3, 17th Floor, San Francisco. (Meuser, Mark) (Filed on 6/2/2008) (Entered: 06/02/2008)
06/02/2008	<a href="#">63</a>	Brief re <a href="#">62</a> MOTION to Dismiss filed by Sally Wilson, Tim O'Hara, Fremont Freewheelers, Richard Brockie. (Attachments: # <a href="#">1</a> Affidavit of Fremont FreeWheelers, # <a href="#">2</a> Affidavit of Timothy O'Hara, # <a href="#">3</a> Affidavit of Richard Brockie, # <a href="#">4</a> Affidavit of Sally Wilson)(Related

		document(s) <a href="#">62</a> ) (Meuser, Mark) (Filed on 6/2/2008) (Entered: 06/02/2008)
06/02/2008	<a href="#">64</a>	Proposed Order re <a href="#">62</a> MOTION to Dismiss, <a href="#">63</a> Brief, by Sally Wilson, Tim O'Hara, Fremont Freewheelers, Richard Brockie. (Meuser, Mark) (Filed on 6/2/2008) (Entered: 06/02/2008)
06/02/2008	<a href="#">65</a>	CERTIFICATE OF SERVICE by Sally Wilson, Tim O'Hara, Fremont Freewheelers, Richard Brockie re <a href="#">64</a> Proposed Order, <a href="#">62</a> MOTION to Dismiss, <a href="#">63</a> Brief, (Meuser, Mark) (Filed on 6/2/2008) (Entered: 06/02/2008)
06/03/2008	<a href="#">66</a>	ORDER. Signed by Judge Hamilton on 6/3/2008. (pjhlc1, COURT STAFF) (Filed on 6/3/2008) (Additional attachment(s) added on 6/4/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 06/03/2008)
06/03/2008		Set/Reset Deadlines as to <a href="#">42</a> MOTION to Dismiss, <a href="#">32</a> MOTION to Dismiss, <a href="#">36</a> MOTION to Dismiss Pursuant to FRCP 12(b)(5)(6) MOTION to Dismiss Pursuant to FRCP 12(b)(5)(6) MOTION to Dismiss Pursuant to FRCP 12(b)(5)(6), <a href="#">37</a> NOTICE OF MOTION AND MOTION TO DISMISS <a href="#">1</a> COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED [FRCP 12(b)(6) OR, IN THE ALTERNATIVE, MOTION FOR MORE DEFINITE STATEMENT [FRCP 12(e)]NOTICE OF MOTION AND MOTION TO DISMISS <a href="#">1</a> COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED [FRCP 12(b)(6) OR, IN THE ALTERNATIVE, MOTION FOR MORE DEFINITE STATEMENT [FRCP 12(e)]. Opposition due by 6/18/2008. Replies due by 6/25/2008. Motion Hearing set for 7/9/2008 09:00 AM in Courtroom 3, 17th Floor, San Francisco. (far, COURT STAFF) (Filed on 6/3/2008) (Entered: 06/04/2008)
06/18/2008	<a href="#">67</a>	OPPOSITION to Dismissing Claims re <a href="#">62</a> MOTION to Dismiss, <a href="#">60</a> MOTION to Dismiss, <a href="#">32</a> MOTION to Dismiss, <a href="#">42</a> MOTION to Dismiss, <a href="#">37</a> MOTION TO DISMISS filed byCornelius Lopes. (far, COURT STAFF) (Filed on 6/18/2008) (Entered: 06/19/2008)
06/25/2008	<a href="#">68</a>	REPLY MEMORANDUM of Points and Authorities in Support of <a href="#">37</a> Defendants Faria, Beltrano and Pettigrew's Motion to Dismiss Complaint filed by Shara Mesic, Lisa Faria, Petagrew. (Wolan, Steven) (Filed on 6/25/2008) Modified on 6/25/2008 (far, COURT STAFF). (Entered: 06/25/2008)
06/25/2008	<a href="#">69</a>	Reply to <a href="#">67</a> Opposition filed by Newark Police Department, Jim Davis, Joseph Dale Wren. (Lepper, Gary) (Filed on 6/25/2008) Modified on 6/25/2008 (far, COURT STAFF). (Entered: 06/25/2008)
06/25/2008	<a href="#">70</a>	DECLARATION of Furah Faruqui in Support of <a href="#">69</a> Reply filed by Newark Police Department, Jim Davis, Joseph Dale Wren. (Attachments: # <a href="#">1</a> Exhibit Exhibit A to Faruqui Declaration)(Lepper, Gary) (Filed on 6/25/2008) Modified on 6/25/2008 (far, COURT STAFF). (Entered: 06/25/2008)
06/25/2008	<a href="#">71</a>	PROOF OF SERVICE re <a href="#">69</a> Reply and <a href="#">70</a> Declaration filed by Newark Police Department, Jim Davis, Joseph Dale Wren. (Lepper, Gary) (Filed on 6/25/2008) Modified on 6/25/2008 (far, COURT STAFF). (Entered: 06/25/2008)
06/25/2008	<a href="#">72</a>	REPLY BRIEF in Support of its <a href="#">36</a> Motion to Dismiss Pursuant to FRCP 12(b)(5)(6) filed by USA Cycling, Inc. and Linda Buffetti (Dalby, David) (Filed on 6/25/2008) Modified on 6/26/2008 (far, COURT STAFF). (Entered: 06/25/2008)
06/26/2008	<a href="#">73</a>	CERTIFICATE OF SERVICE re <a href="#">67</a> Opposition by Cornelius Lopes (far, COURT STAFF)



		(Filed on 6/26/2008) (Entered: 06/26/2008)
07/09/2008	<a href="#">74</a>	Minute Entry: Hearing on Defendants' motion to dismiss held on 7/9/2008 before Phyllis J. Hamilton (Date Filed: 7/9/2008). Matters taken under submission. (Court Reporter Katherine Wyatt (415) 487-9834) (fj, COURT STAFF) (Date Filed: 7/9/2008) Modified on 7/9/2008 (far, COURT STAFF). (Entered: 07/09/2008)
07/11/2008	<a href="#">75</a>	ORDER. Signed by Judge Hamilton on 7/11/2008. (pjhlcl, COURT STAFF) (Filed on 7/11/2008) (Additional attachment(s) added on 7/11/2008: # <a href="#">1</a> Certificate of Service) (fj, COURT STAFF). (Entered: 07/11/2008)
07/16/2008	<a href="#">76</a>	Transcript of Proceedings held on 7-9-08, before Judge Phyllis J. Hamilton. Court Reporter/Transcriber Katherine Wyatt, Telephone number 415-487-9834. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Redaction Request due 8/4/2008. Redacted Transcript Deadline set for 8/13/2008. Release of Transcript Restriction set for 10/14/2008. (kpw, COURT STAFF) (Filed on 7/16/2008) (Entered: 07/16/2008)
07/23/2008	<a href="#">77</a>	DECLARATION of David Ian Dalby in Response to <a href="#">75</a> Order After Hearing filed by Linda Buffetti, USA Cycling, Inc. (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B, # <a href="#">3</a> Exhibit Exhibit C, # <a href="#">4</a> Exhibit Exhibit D)(Dalby, David) (Filed on 7/23/2008) Modified on 7/23/2008 (far, COURT STAFF). (Entered: 07/23/2008)
07/31/2008	<a href="#">78</a>	REPLY to Defense Dalby's Reply of the Courts Order filed by Cornelius Lopes. (far, COURT STAFF) (Filed on 7/31/2008) Modified on 8/5/2008 (far, COURT STAFF). (Entered: 08/04/2008)
08/04/2008	<a href="#">79</a>	CERTIFICATE OF SERVICE re <a href="#">78</a> REPLY to Defense Dalby's Reply of the Courts Order by Cornelius Lopes. (far, COURT STAFF) (Filed on 8/4/2008) (Entered: 08/05/2008)
08/07/2008	<a href="#">80</a>	ORDER OF DISMISSAL AS TO CERTAIN DEFENDANTS. Signed by Judge Hamilton on 8/7/2008. (pjhlcl, COURT STAFF) (Filed on 8/7/2008) (Additional attachment(s) added on 8/8/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 08/07/2008)
08/07/2008	<a href="#">81</a>	ORDER by Judge Hamilton granting <a href="#">32</a> <a href="#">36</a> <a href="#">42</a> <a href="#">62</a> Motions to Dismiss (pjhlcl, COURT STAFF) (Filed on 8/7/2008) (Additional attachment(s) added on 8/8/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 08/07/2008)
08/07/2008	<a href="#">82</a>	ORDER by Judge Hamilton granting <a href="#">37</a> <a href="#">60</a> Motions to Dismiss (pjhlcl, COURT STAFF) (Filed on 8/7/2008) (Additional attachment(s) added on 8/8/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 08/07/2008)
08/07/2008	<a href="#">83</a>	JUDGMENT. Signed by Judge Hamilton on 8/7/2008. (pjhlcl, COURT STAFF) (Filed on 8/7/2008) (Additional attachment(s) added on 8/8/2008: # <a href="#">1</a> Certificate of Service) (nah, COURT STAFF). (Entered: 08/07/2008)
08/07/2008		(Court only) ***Civil Case Terminated. (far, COURT STAFF) (Filed on 8/7/2008) (Entered: 08/08/2008)
08/07/2008		(Court only) *** Party Joe Baughman; Casey Carrington; FFBC Race Team; Fremont Freewheelers; Steve Grusis; K&K Insurance; Northern California and Nevada Cycling

		Assoc. (NCNCA); Robert Parker; Lloyd Rath; Larry Rosa; Bryan Sheppard; Lawrence Upthegrove; Jeff Wrong; Alameda County District Attorney and Peter Allen terminated. (far, COURT STAFF) (Filed on 8/7/2008) (Entered: 08/11/2008)
09/08/2008	<a href="#">84</a>	NOTICE OF APPEAL as to <a href="#">83</a> Judgment, <a href="#">82</a> Order on Motion to Dismiss, by Cornelius Lopes. Filing fee \$ 455, Receipt Number 34611023214. (Attachments: # <a href="#">1</a> Receipt)(far, COURT STAFF) (Filed on 9/8/2008) (Entered: 09/09/2008)